

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

10 REX CHAPELL, No. 2:01-cv-01979-KJN P
11 Plaintiff,
12 v. STIPULATION AND [PROPOSED]
13 SAM BESS, et. al., ORDER TO CONTINUE DISCOVERY
14 Defendants

17 WHEREAS, on September 14, 2010 the court ordered the following deadlines regarding
18 discovery:

19	Initial Disclosures:	October 1, 2010
	Discovery Motions:	October 28, 2010
20	Non-Expert Discovery:	November 19, 2010
	Expert Disclosure and Reports:	January 31, 2011
21	Rebuttal Expert Disclosure and Reports:	March 31, 2011
	Close of Expert Discovery:	May 31, 2011
22	Last Day to Hear Dispositive Motions:	July 28, 2011; and,

WHEREAS, all parties have served Initial Disclosures; and

24 WHEREAS, Plaintiff REX CHAPPELL's deposition was taken on September 23, 2010;
25 and,

26 WHEREAS, Defendant CHERYL K. PLILER's deposition was taken on October 21,
27 2010; and,

WHEREAS, Defendant SAM BESS's deposition was taken on October 25, 2010; and
WHEREAS, Defendant M.D. QUIST's deposition was taken on October 26, 2010; and
WHEREAS, pursuant to FRCP Rule 30, and estimates provided by the deposition court
reporter to Plaintiff's counsel and attorneys for SAM BESS and CHERYL PLILER, review of
the deposition transcripts will not be concluded until approximately the middle of December,
2010, and,

WHEREAS, Defendant M.D. QUIST has propounded written discovery on Plaintiff REX CHAPPELL the date said discovery being due October 28, 2010; and,

WHEREAS, Defendant SAM BESS has pounded written discovery on Plaintiff REX CHAPPELL, the date of said discovery being due on or about October 29, 2010; and,

WHEREAS, according to his counsel's understanding Plaintiff REX CHAPPELL is an inmate housed in High Desert State Prison, Susanville, California and only able to communicate with counsel via written mail; and

WHEREAS, the parties are willing to enter into an agreement to extend the due date of currently pending written discovery responses to a date certain or agreed upon between the propounding and responding parties; and,

WHEREAS, based on the foregoing facts, IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE UNDERSIGNED PARTIES OR COUNSEL FOR THE PARTIES HERETO the parties hereby respectfully ask the court to extend the deadlines as follows:

Filing of Non-Expert Discovery Motions:	January 14, 2011
Close of Non-Expert Discovery	February 17, 2011
Expert Disclosure and Reports:	April 29, 2011
Rebuttal Expert Disclosure and Reports:	June 29, 2011
Close of Expert Discovery:	August 29, 2011
Last Day to Hear Dispositive Motions:	October 30, 2011.

Dated: 10/29/2010

LIBERSON & WOLFORD, LLP

By: /s/ Philip G. Allingham
JOEL K. LIBERSON
PHILIP G. ALLINGHAM
Attorneys for Plaintiff

1 Dated: 10/29/2010

2 MORENO & RIVERA

3 By: /s/ Jesse M. Rivera
4 JESSE M. RIVERA
5 Attorneys for Defendant, SAM BESS

6 Dated: 10/29/2010

7 EDMUND G. BROWN, JR.
8 Attorney General of California
9 TRACY S. HENDRICKSON
10 Supervising Deputy Attorney General
11 JAMES E. FLYNN
12 Deputy Attorney General

13 By: /s/ James E. Flynn
14 JAMES E. FLYNN
15 Deputy Attorney General
16 Attorneys for Defendant, PLILER

17 Dated: 10/29/2010

18 ANGELO, KILDAY & KILDUFF

19 By: /s/ Susan A. DeNardo
20 SUSAN A. DeNARDO
21 Attorneys for Defendant, M.D. QUIST

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[PROPOSED] ORDER

GOOD CAUSE APPEARING, the court sets the following deadlines:

Filing of Non-Expert Discovery Motions:	January 14, 2011
Close of Non-Expert Discovery	February 17, 2011
Expert Disclosure and Reports:	April 29, 2011
Rebuttal Expert Disclosure and Reports:	June 29, 2011
Close of Expert Discovery:	August 29, 2011
Last Day to Hear Dispositive Motions:	October 30, 2011.

The substance of the court's prior discovery orders shall remain in effect.

Dated: November 1, 2010

/s/ Kendall J. Newman
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE